

ENTERED

March 06, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****UNITED STATES OF AMERICA****VS.****Dustin Curry (1)
Clint Carr (2)
Hassan Barnes (3)
Fraisel Hughey (4)**§
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§**CRIMINAL ACTION NO. H-18-339****ORDER**

Pending before the Court is a motion filed by Defendant Clint Carr (2) for continuance of the trial setting to which Co-Defendants pending trial are unopposed. In accordance with 18 U.S.C. § 3161, the basis for the continuance is the finding that the ends of justice served in granting such continuance outweigh the best interests of the public and the Defendants in a speedy trial.

The Court finds that, pursuant to 18 U.S.C. § 3161, a failure to grant continuance in this case would deny counsel for the Defendants the reasonable time necessary for effective preparation taking into account the exercise of due diligence and would thereby result in a miscarriage of justice for the Defendants.

The Defendant recites that there has been inadequate time to sufficiently prepare for trial. Denial of the reasonable time necessary for effective trial preparation is expressly enunciated in 18 U.S.C. § 3161 as a factor in determining that a continuance in the ends of justice would outweigh the public's interest in a speedy trial.

IT IS HEREBY ORDERED that the Defendant's motion for continuance is **GRANTED**. A period of excludable delay shall commence from March 4, 2019, pursuant to 18 U.S.C. § 3161, and end upon the start of trial.

Motions shall be filed by: July 8, 2019

Responses shall be filed by: July 29, 2019

Proposed Voir Dire and Jury Charge shall be filed by: September 4, 2019

Jury Trial will be held on September 9, 2019 at 1:20 p.m.

SIGNED on this the 6th day of March, 2019.

A handwritten signature in black ink, appearing to read 'S. Lake', is written over a horizontal line.

SIM LAKE
UNITED STATES DISTRICT JUDGE